

**From:** [Gentile, Laura](#)  
**To:** [Jencius, Morgan](#)  
**Cc:** [Torma, Tim](#); [Poole, Laura](#); [Nelson, Leverett](#); [Frey, Bert](#); [Kelley, Jeff](#); [Beckmann, Ronna Erin](#)  
**Subject:** RE: Transition: Consent Decrees -- Region 5  
**Date:** Thursday, January 19, 2017 3:22:18 PM

Thanks very much, Morgan, this is perfect

Laura L. Gentile  
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[gentile.laura@epa.gov](mailto:gentile.laura@epa.gov)

**From:** Jencius, Morgan

**Sent:** Thursday, January 19, 2017 4:21 PM

**To:** Gentile, Laura

**Cc:** Torma, Tim ; Poole, Laura ; Nelson, Leverett ; Frey, Bert ; Kelley, Jeff ; Beckmann, Ronna Erin

**Subject:** Transition: Consent Decrees -- Region 5

Laura,

Per your request, I added one Region 5 near-term Consent Decree (*pasted below*) to the spreadsheet on the Transition Coordinators site entitled "[Near Term -- Enforcement](#)".

We did not include the following enforcement cases because separate Transition issue briefing papers were created:

- Flint
- East Chicago
- Kewaunee County
- S.H. Bell (*OECA is supposed to be drafting an issue paper for this case*)

Thanks,

Morgan

Region 5	R5	Potential interveners may block entry of Settlement with Enbridge Energy Limited Partnership	<b>Enbridge Energy Limited Partnership:</b> EPA and the Department of Justice (DoJ) reached a settlement with Enbridge Energy Limited Partnership and several related Enbridge companies to resolve claims stemming from the largest-ever oil spill to a United States' inland waterway -- its 2010 oil spills in Marshall, Michigan, and a smaller one in Romeoville, Illinois. Once the Consent Decree is entered, Enbridge has agreed to spend at least \$110 million on a series of measures to prevent spills and improve operations across nearly 2,000 miles of its pipeline system in the Great Lakes region. Enbridge will also pay civil penalties totaling \$62 million for Clean Water Act violations. The proposed Consent Decree was lodged on July 20, 2016, and the United States received over 17,000 public comments. DoJ expects to file its motion to enter the Consent Decree in late January 2017. We may have interveners that would block the entry of this Consent Decree.	Late January to end of February	Action required by AA/RA: Issues blocking entry of decree may need to be addressed by the AA for OECA and RA for Region 5
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**From:** Gentile, Laura

**Sent:** Wednesday, January 18, 2017 12:29 PM

**To:** Transition Coordinators <[Transition\\_Coordinators@epa.gov](mailto:Transition_Coordinators@epa.gov)>

**Subject:** Clarification -- Transition Info Request (Consent Decrees)

All,

Here's some clarification on the information request. Thanks to Region 2 and OECA for raising these questions.

For this information request, we're interested in the following:

- 1) cases that will require the actions of a political appointee or acting (AA, RA, Administrator) during the first 100 days
- 2) cases where a final consent decree is already in place and there is some major approval/disapproval decision EPA will need to make under the terms of the CD during the next 100 days
- 3) cases where there is a major CD in place but we may need to make a decision, during the next 100 days, as to whether to agree to the defendant's request that we reopen and renegotiate the CD in order to give them more time to do things

Also, if a case has already been covered through a briefing paper (i.e., Volkswagen, Flint), no need to include it on this new list.

Thanks a lot,  
LG  
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**From:** Gentile, Laura

**Sent:** Wednesday, January 18, 2017 11:17 AM

**To:** Transition Coordinators <[Transition\\_Coordinators@epa.gov](mailto:Transition_Coordinators@epa.gov)>

**Subject:** Consent Decrees-- Followup from last night's meeting

All --

Just a reminder to please share any major Consent Decrees / proposed settlements that have major decision points occurring during the first 100 days. Please share this information by COB on Thursday.

**How to provide this information:** We're added a spreadsheet to the Transition Coordinators site entitled "[Near Term -- Enforcement](#)".

Please add your information to this spreadsheet using the "Edit in Excel Online" option. As an example of the information we're looking for, I've included an old Region 7 entry for Doe Run as the first row in the spreadsheet.

Many of you provided some of this information to us during the first wave of information requests a few months ago. Please review your initial submittal (available under near term issues in the "Office/Region" folder), edit as appropriate, and add to the new spreadsheet.

Very sorry for the late ask on this. Misunderstanding on our part.

If you have any questions about any of this, just let me know.

Laura

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